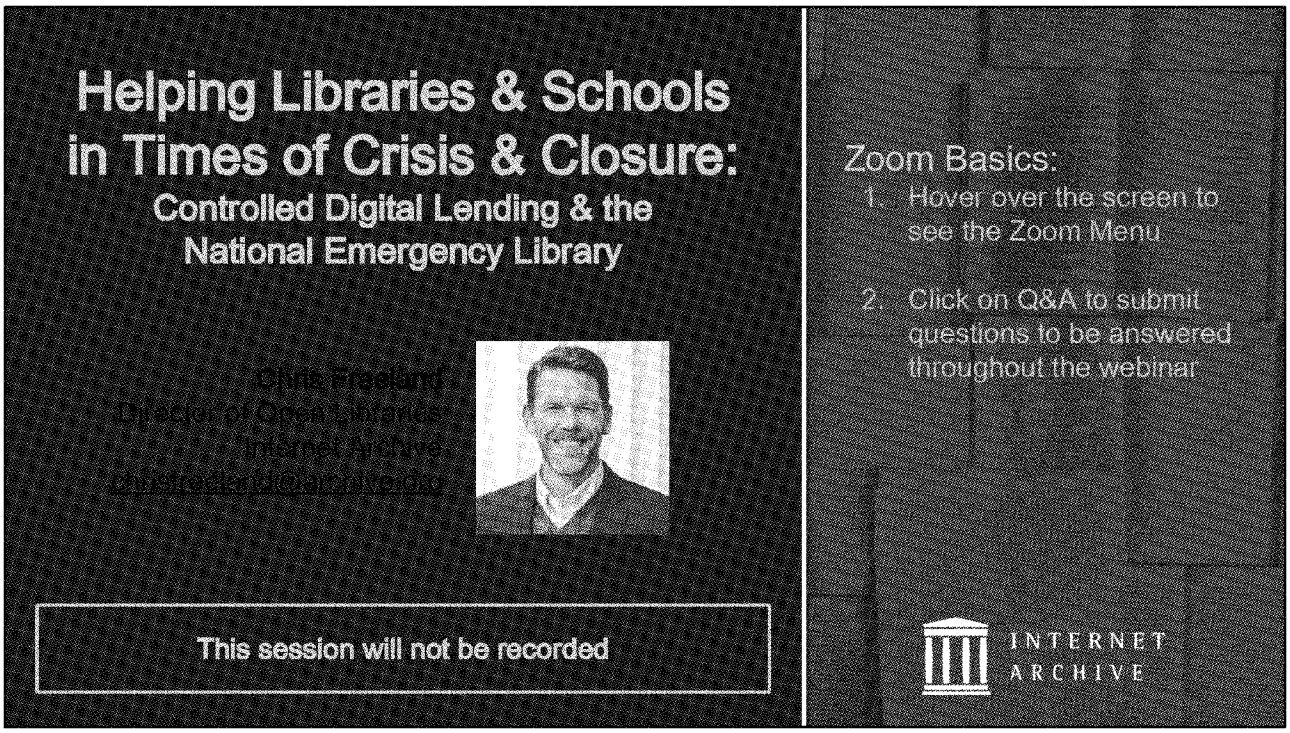
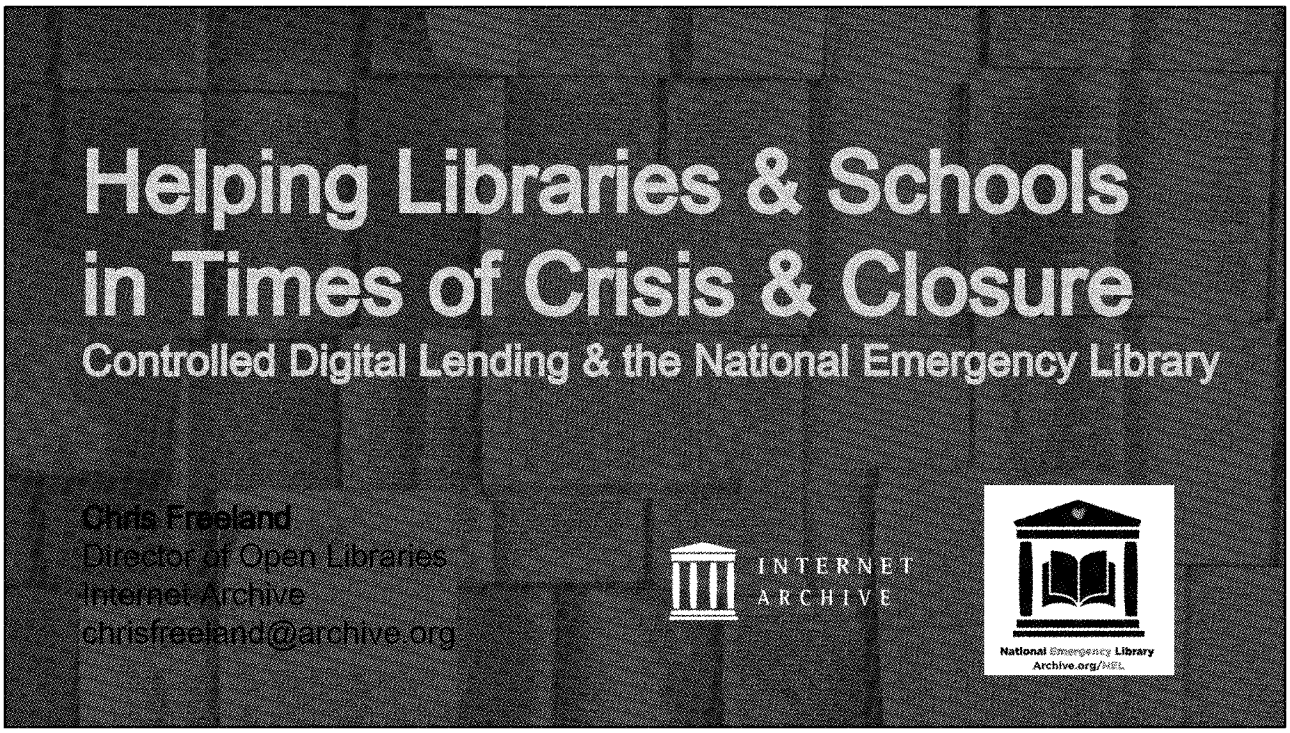
McNamara Declaration
Exhibit 153



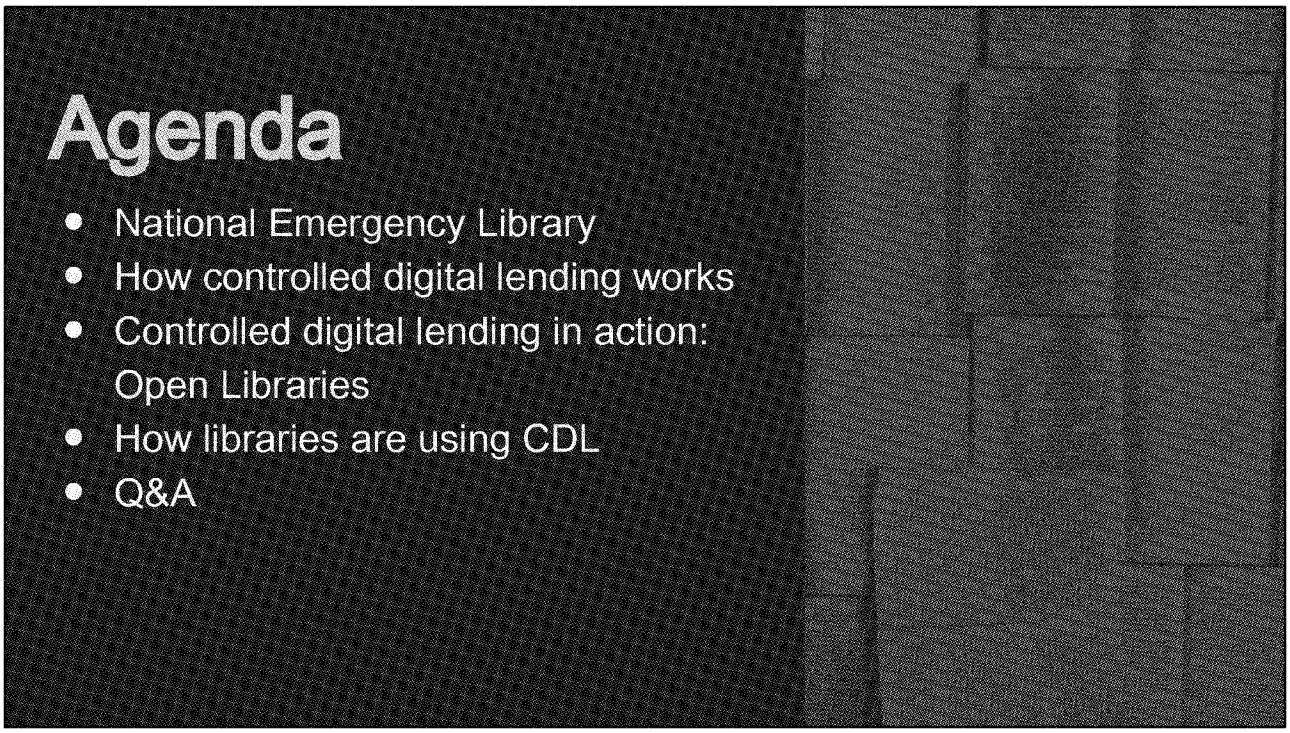
This session will not be recorded. I'll send you an email after our session that includes link to the slides I'm using and relevant links from the session.



A lot has changed with the Open Libraries program in a very short time.

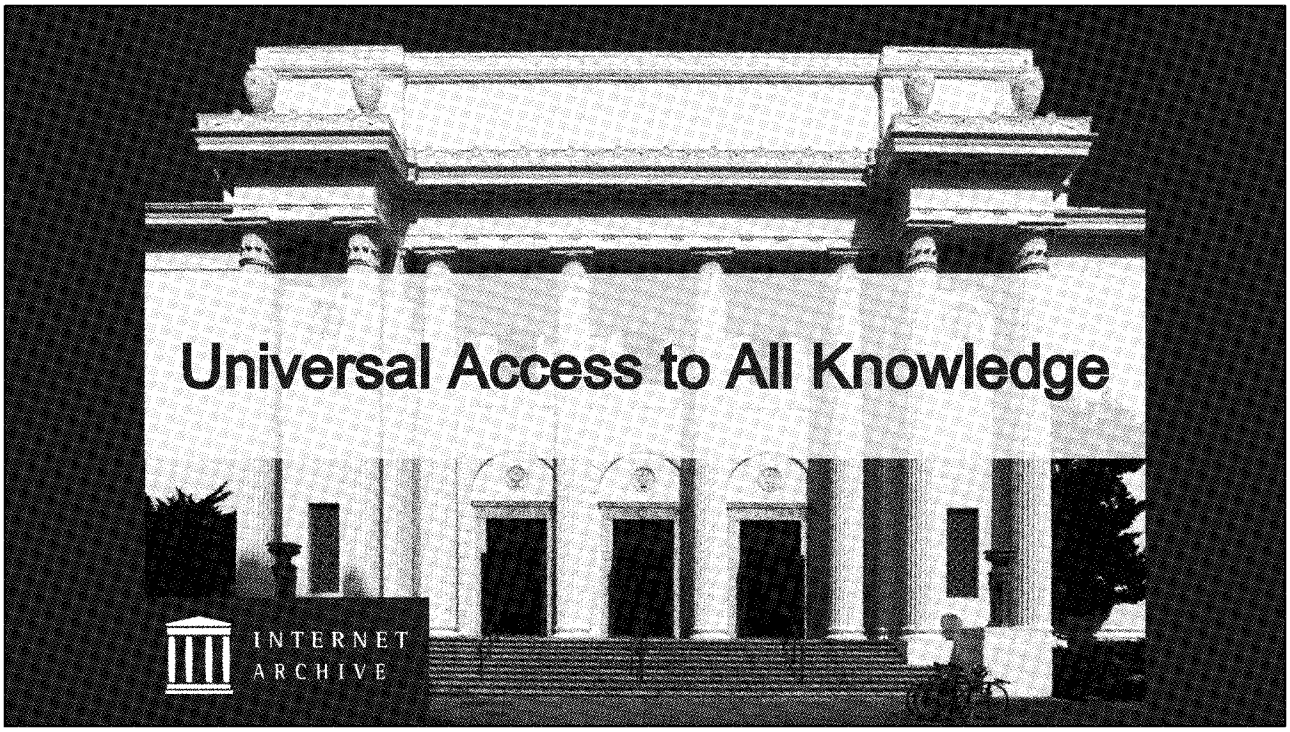
As we get started I wanted to address a question that you might have. On Monday it was announced that there is an active lawsuit against the Internet Archive for controlled digital lending & the National Emergency Library. I won't be able to answer questions about the litigation. I'll talk about controlled digital lending & how it works and the impact it's making while our libraries and schools are closed, but I won't be able to address anything about the litigation itself.

So with that in mind, here's the game plan for today:


Agenda
• National Emergency Library
• How controlled digital lending works
• Controlled digital lending in action: Open Libraries
• How libraries are using CDL
• Q&A

Introductions
Chris Freeland
Director of Open Libraries
Internet Archive
chrisfreeland@archive.org

The Internet Archive is a non-profit library that provides access to millions of free books, movies, software, music, websites, and more. This is our headquarters in San Francisco, which, you'll notice, matches our logo (the logo came first). The Internet Archive was founded by Brewster Kahle in 1996 and started its collection by archiving web sites. Brewster saw that the early web had almost entirely vanished-been rewritten, taken down, moved to new servers, otherwise inaccessible-and so he began crawling the web and archiving the content. Those web archives are now available for users to search via the Wayback Machine.

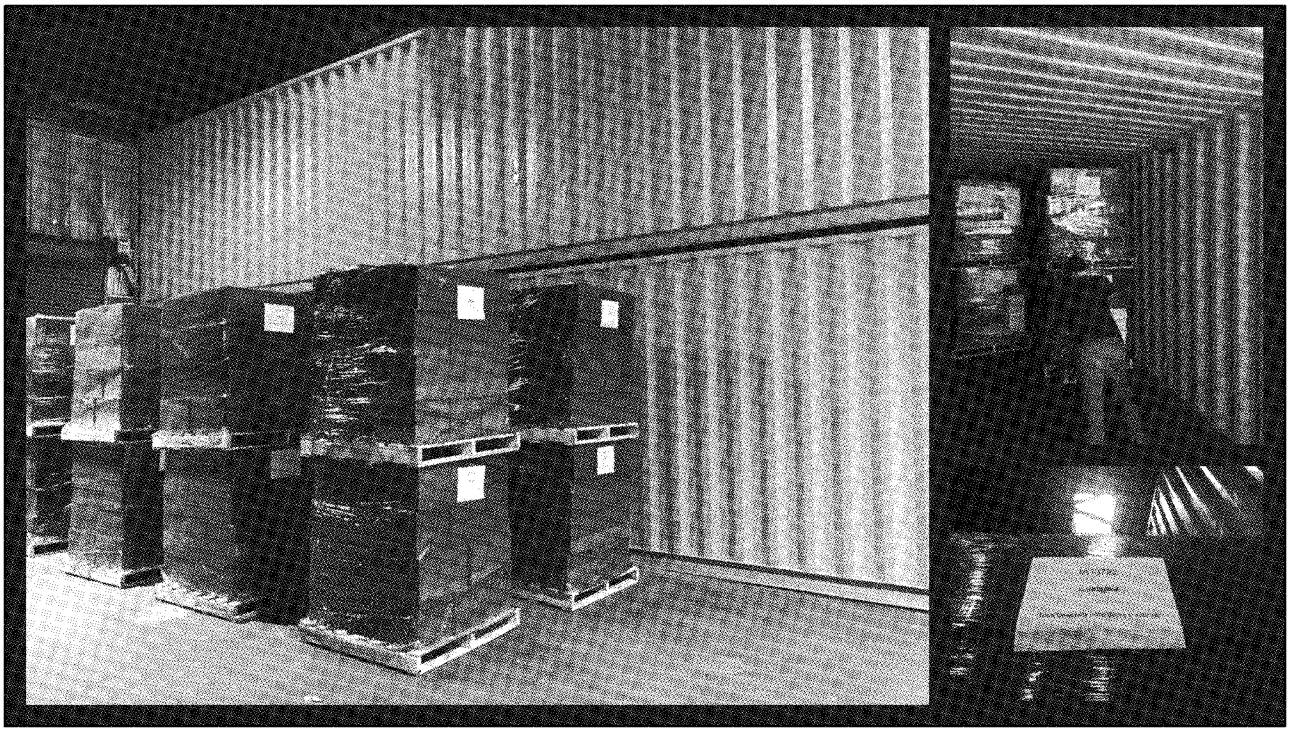


This work kicked off our mission of providing “Universal Access to All Knowledge”. After establishing web archiving, in the early 2000s the Internet Archive began scanning books that were in the public domain (books published before 1923 at the time, now 1924, moving annually).

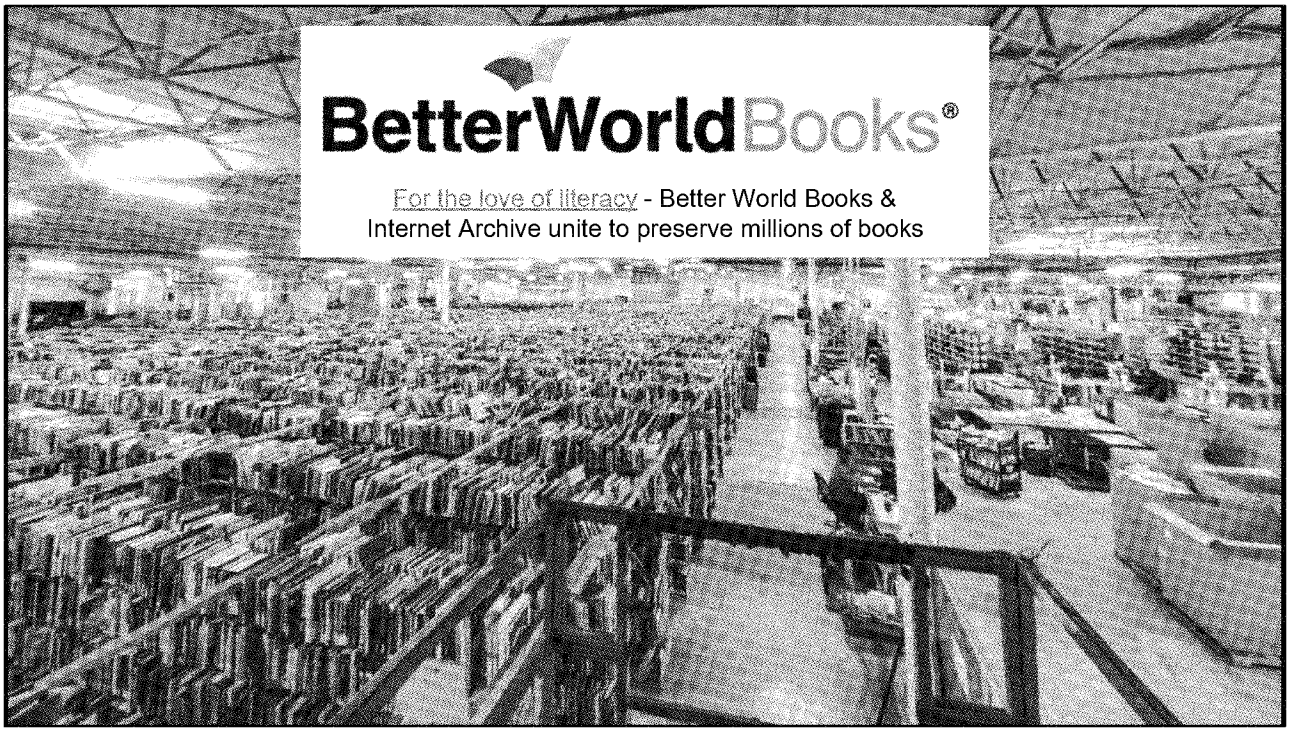
I started working in collaboration with the Internet Archive during their early book scanning operations because I was the technical director of a project called the Biodiversity Heritage Library, which was scanning the public domain literature from natural history museum libraries all over the world.

This is Lan Zhu, who was a scanner in our SF scanning center. She's using the custom-developed scanning equipment we developed to digitize books. You can see that there are two cameras that take pictures as the operator raises and lowers the glass plate to turn pages. Our scanning is non-destructive (meaning that the book stays intact) and follows FADGI, the Federal Agencies **Digitization Guidelines** Initiative.

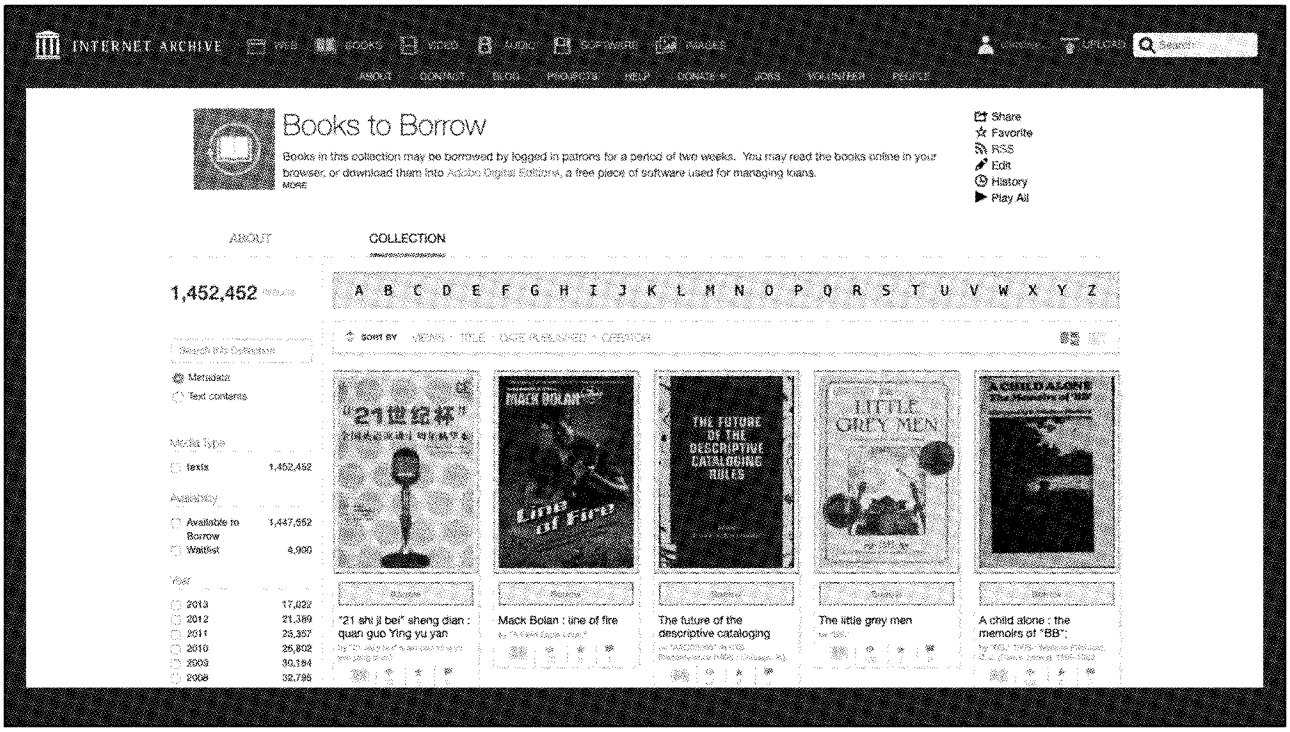
We have scanning operations embedded in libraries in the US, Canada & the UK, including at the Library of Congress, Boston Public Library, University of Toronto, and Wellcome Trust, to name but a few. We also operate digitization facilities in the Philippines where we scan the books that we own.



The Internet Archive also has a physical library. We have built a lending library of more than 1.4M modern books, growing at 2k / day. We acquire our books through purchase, from donations from libraries who are weeding their collections or closing, and from booksellers, like Better World Books. These photos are showing the unloading of portions of a large donation of 250,000 books from Trent University in Ontario.

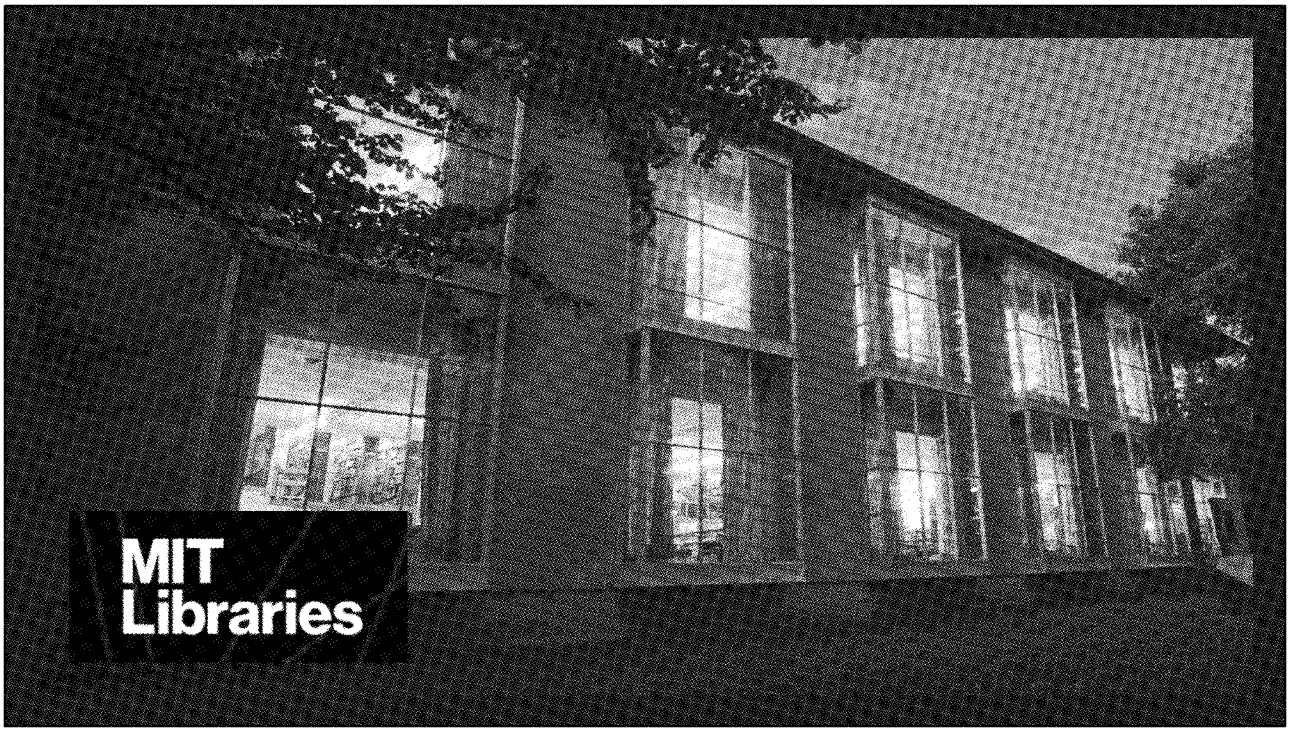


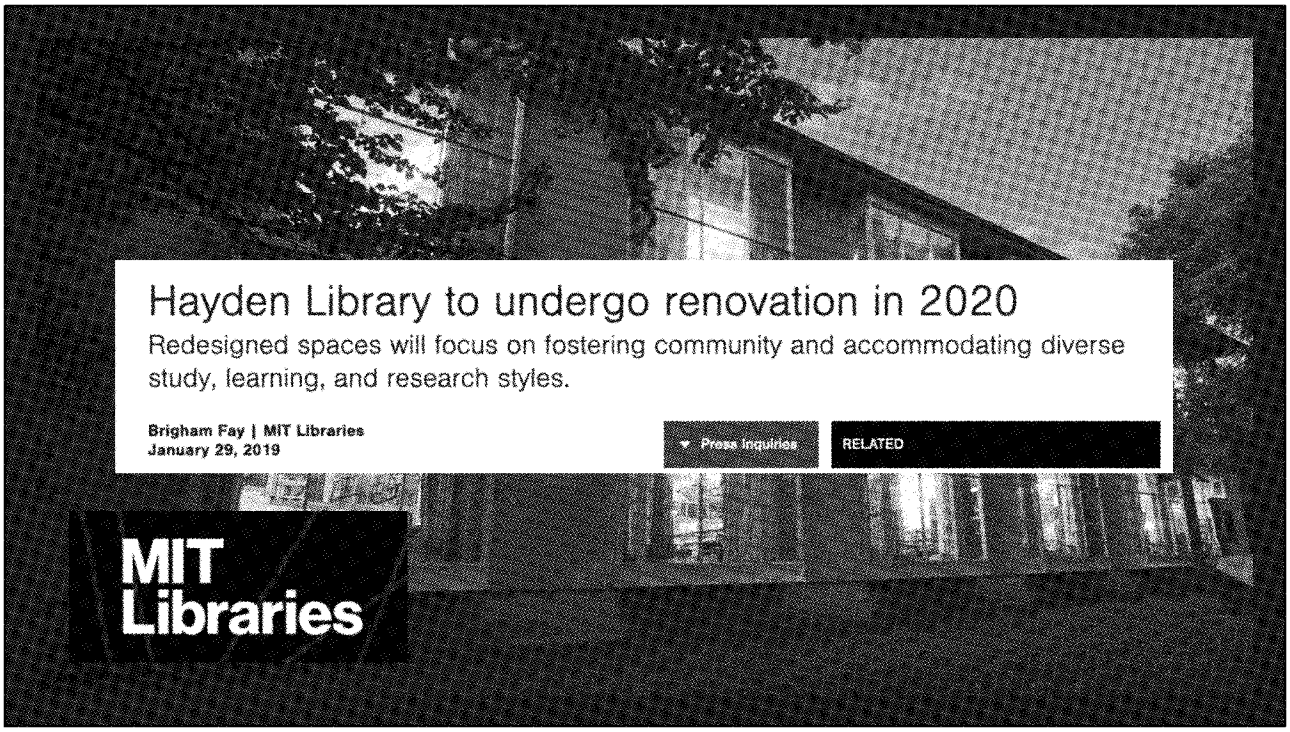
I mentioned that we get donations from Better World Books. IA & BWB have a special relationship, and as part of our partnership we get a copy of any book we don't already have. So for those of you who are library partners with BWB, your discards and weeded materials are flowing into our digitization queue & our digital library shelves. Today we have ____ on the call from BWB to tell us more.

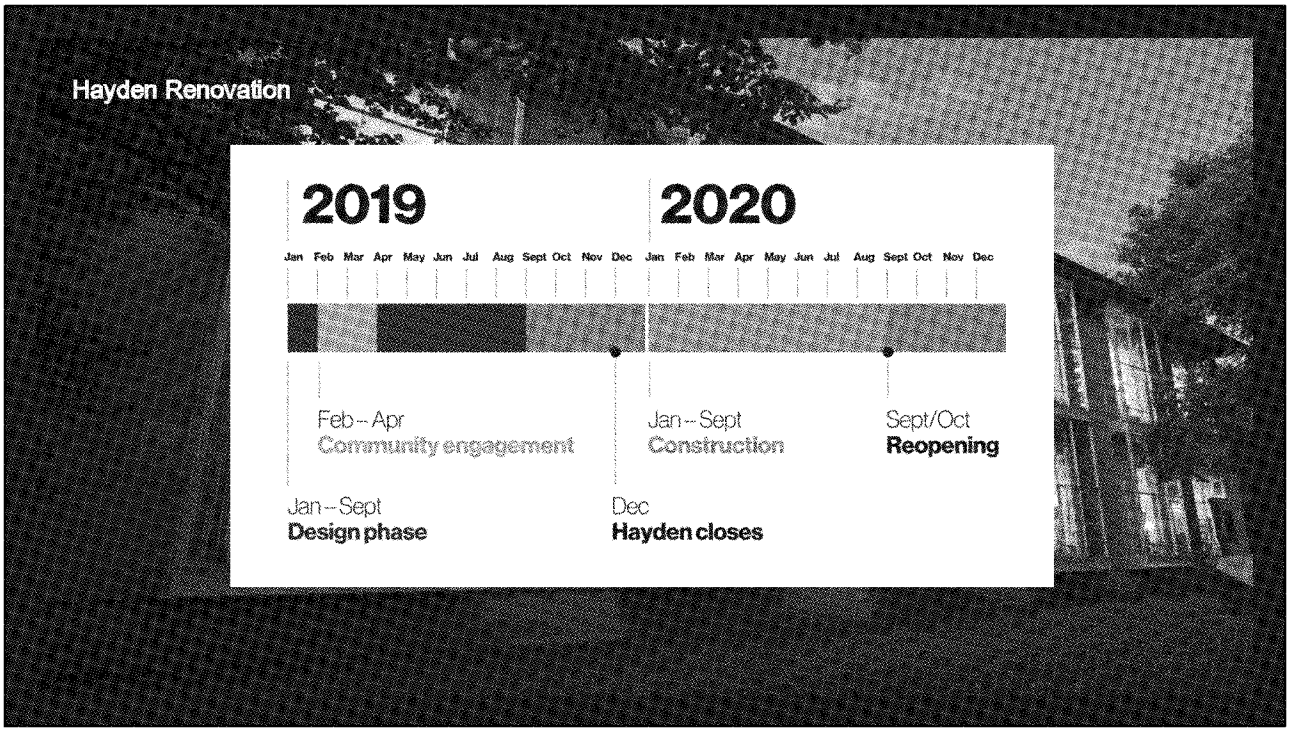


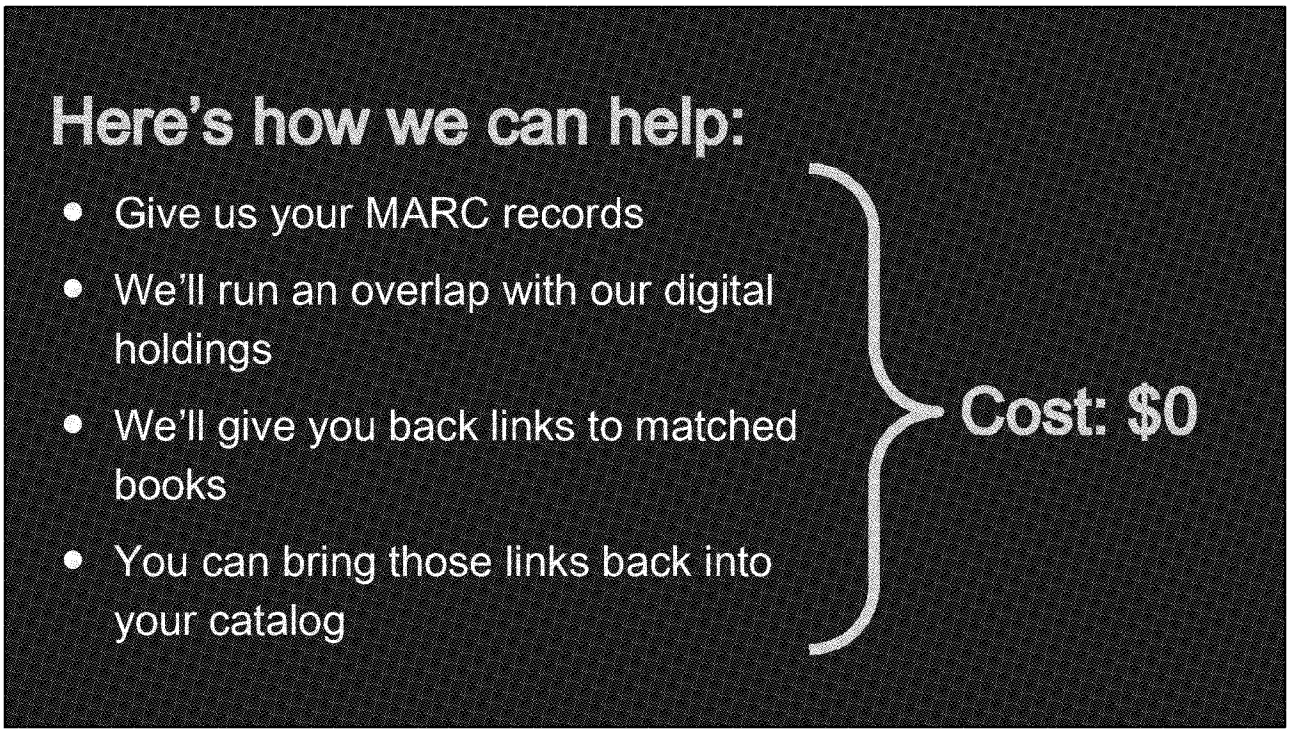
We make that library available to the world, meaning that anyone with an internet connection can borrow our books, providing equal access to library materials around the globe. The ability for anyone to be able to get a library card is important for unaffiliated researchers like myself. When I worked at WashU I had access to every database & journal imaginable. Now, I struggle to get research materials to continue my own research & writing.

Under normal circumstances we lend these books one a time to users through a legal framework known as controlled digital lending. If the book is checked out, then users join a waitlist. That's under normal circumstances. But Libraries & schools are closed at global scale. We are not operating under normal circumstances.

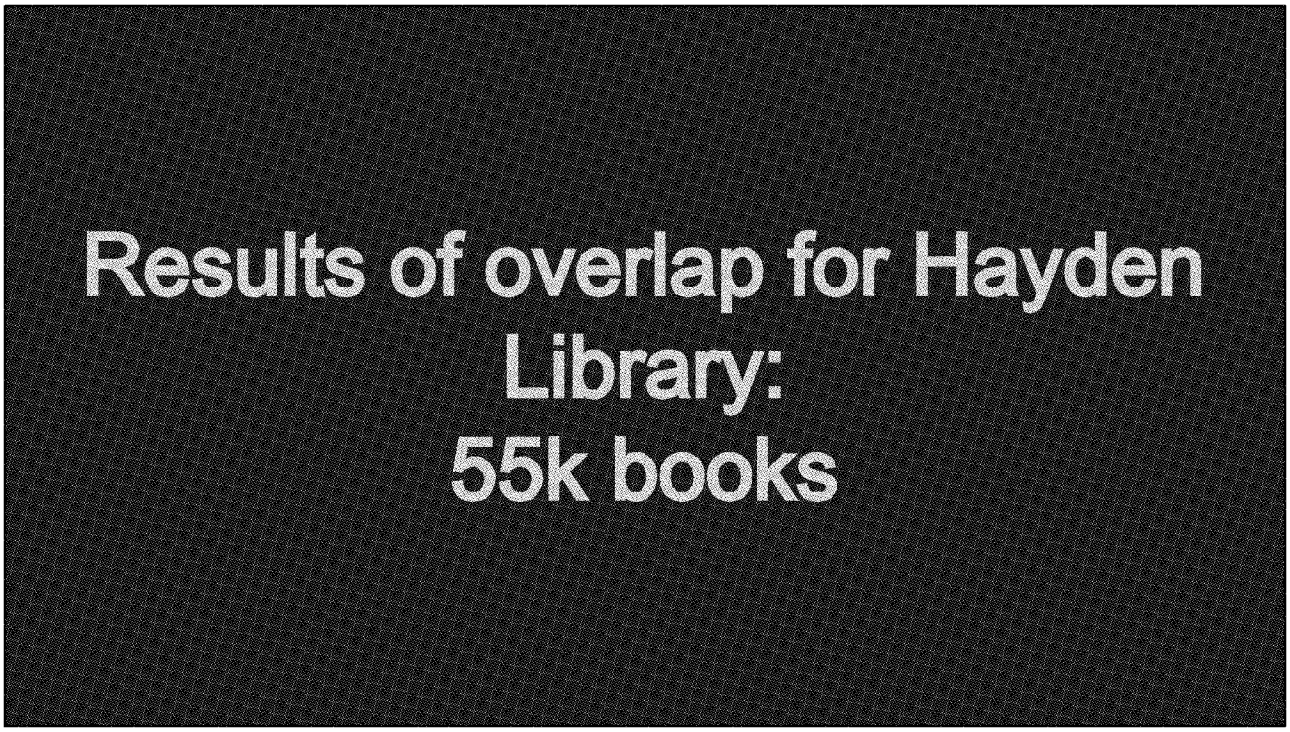

MIT
Libraries

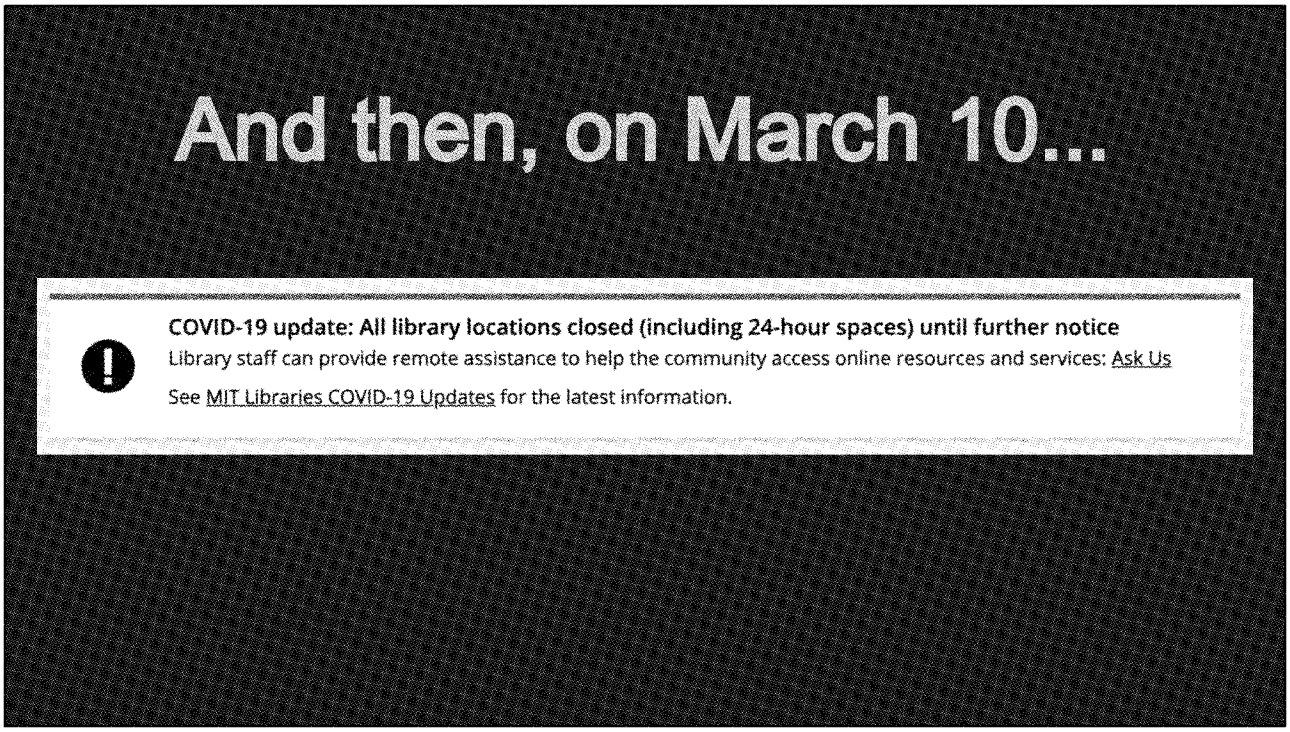

Hayden Library to undergo renovation in 2020
Redesigned spaces will focus on fostering community and accommodating diverse study, learning, and research styles.
Brigham Fay | MIT Libraries
January 29, 2019
Press Inquiries
RELATED
MIT Libraries


Hayden Renovation
2019
2020
Jan Feb Mar Apr May Jun Jul Aug Sept Oct Nov Dec
Jan Feb Mar Apr May Jun Jul Aug Sept Oct Nov Dec
Feb – Apr
Community engagement
Jan – Sept
Design phase
Jan – Sept
Construction
Dec
Hayden closes
Sept/Oct
Reopening

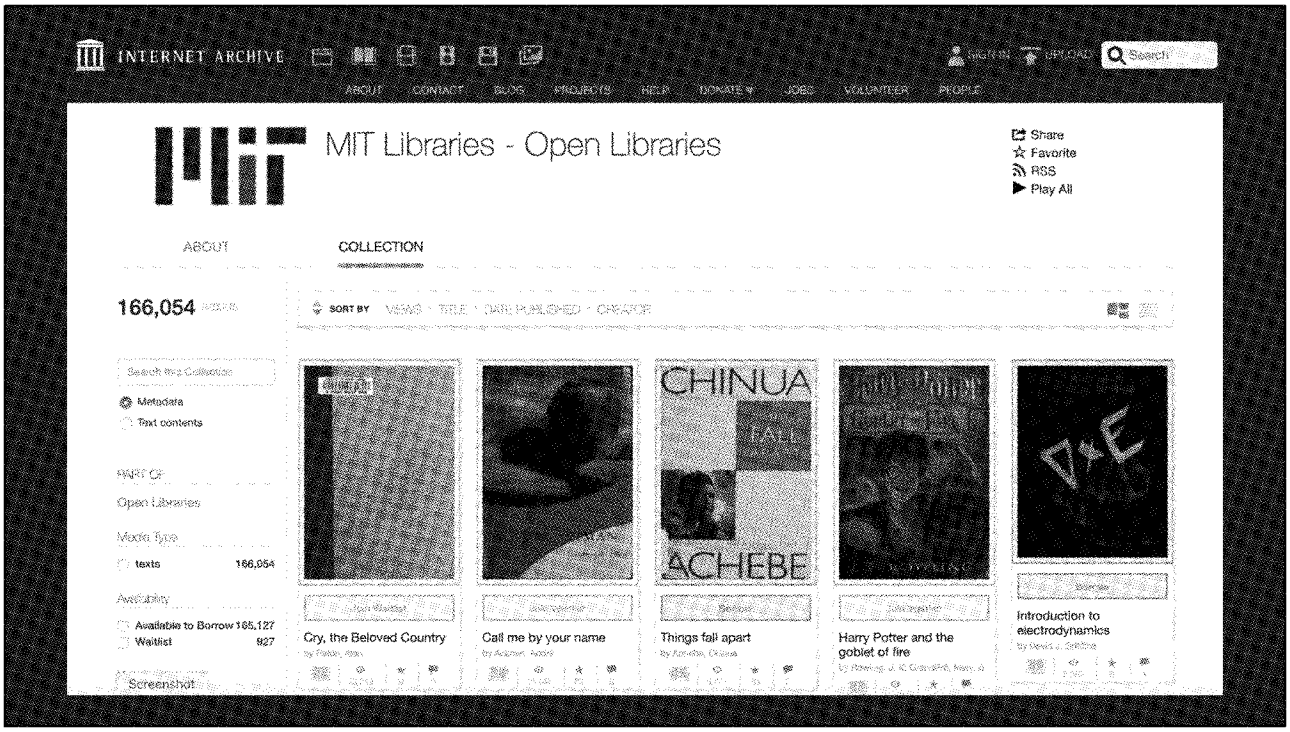


No cost to library or patrons for participating - non-commercial service.


Results of overlap for Hayden Library:
55k books



On March 10th



This screenshot was taken before waitlist suspension. Note the “Join Waitlist” bars

And then, the next week...

State College News

Schlow Library Extends Closure

Schlow Centre Region Library has extended its closure amid efforts to mitigate the spread of COVID-19. The library will now be closed through ...

2 days ago

Danville Advocate

Boyle County Public Library adds services during closure ...

In cooperation with state and local efforts to minimize the spread of COVID-19, the Boyle County Public Library is currently closed to the public.

2 days ago

WJON News

Learn About Great River Library Services During Covid-19 ...

Perhaps you had an item on hold before the library closure. On Hold items will be given an extended hold time until April 8th. You can also still ...

51 mins ago

The SandPaper

County Library System Closing Now Indefinite

Originally looking to reopen at the end of March, the Ocean County Library System will remain closed until further notice. Kate Sandstez ...

25 mins ago

Arizona Daily Wildcat

Main Library announces closure due to coronavirus

The Arizona Health Sciences Library is closed to the public, but is still open to UAHS clients through their CatCard as of March 18. There is, ...

4 days ago

Portsmouth Daily Times

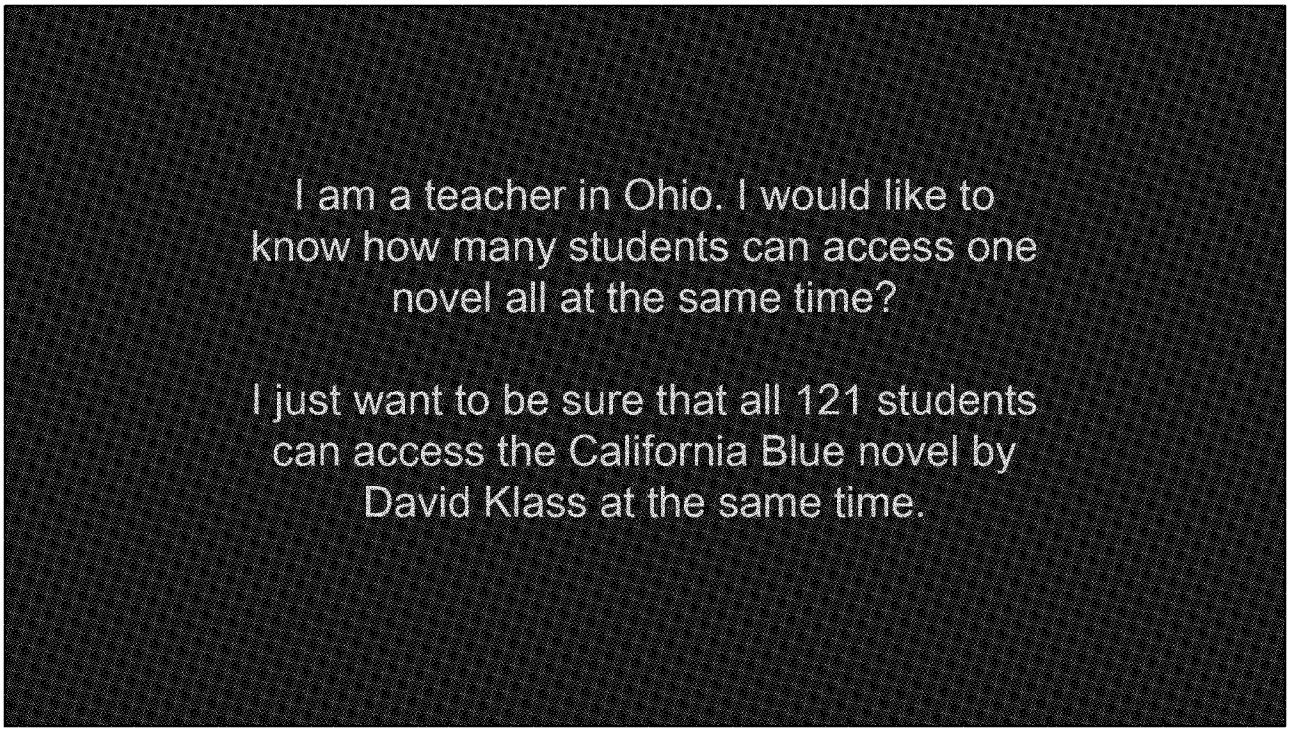
Portsmouth Public Library closing until April 6

The Portsmouth Public Library Board of Trustees met and decided to temporarily close the Library March 19 until at least April 6. The closure is ...

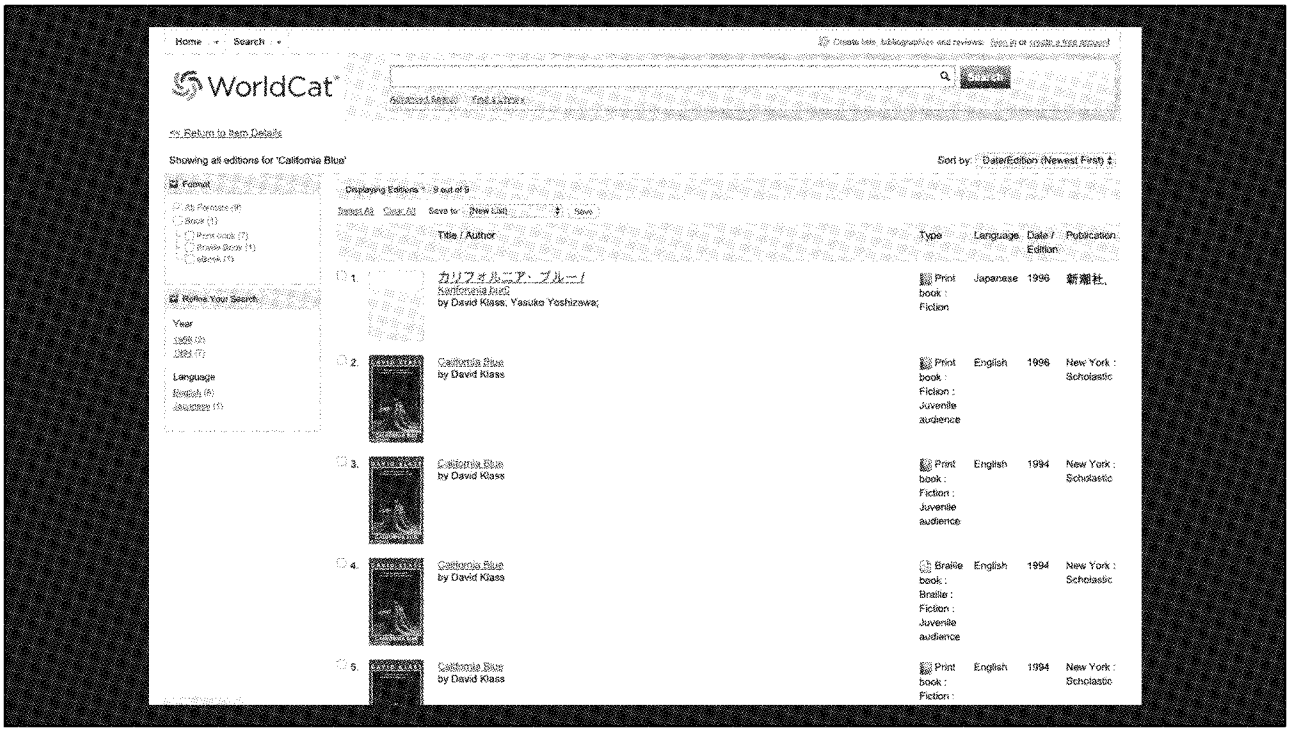
3 days ago

Stay up to date on results for ***library closure***

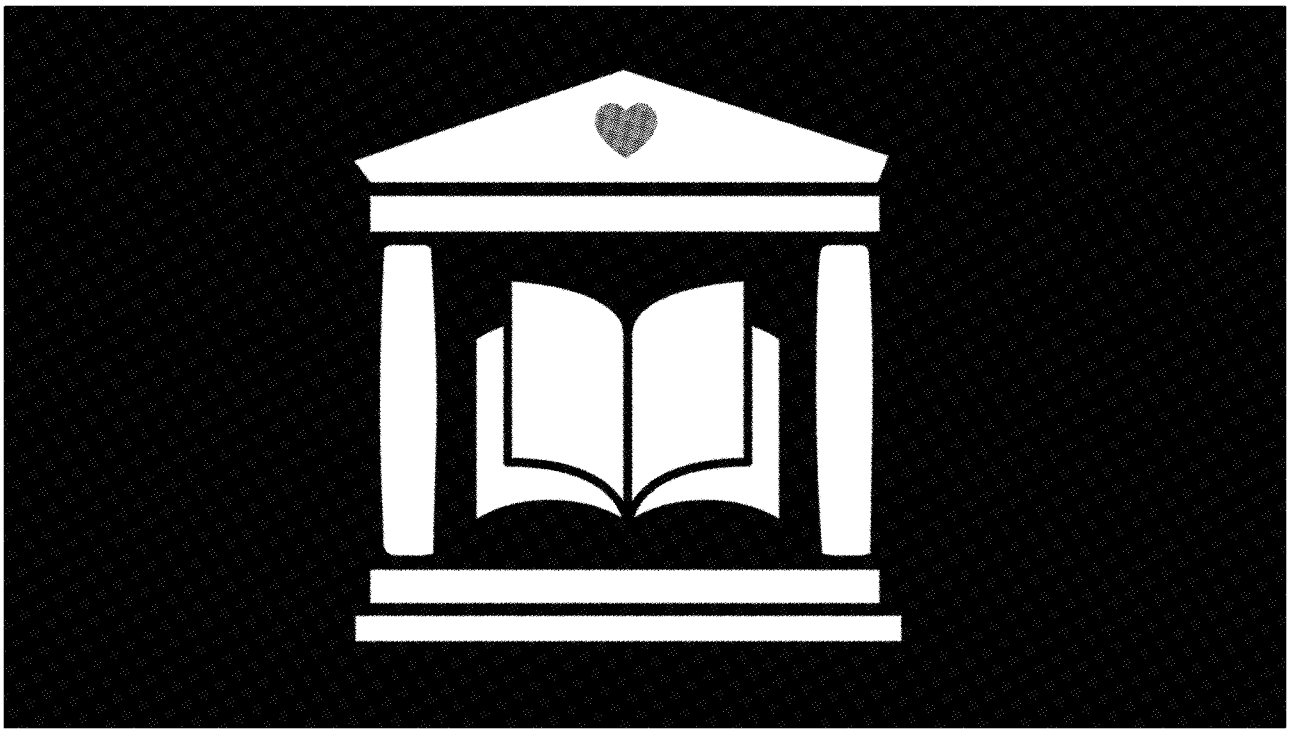
Create alert



The school district had purchased more than 400 copies of the book, but couldn't distribute to the students because they were locked in the school



Not all books have ebooks. The only available ebook for David Klass' California Blue is our scanned copy.



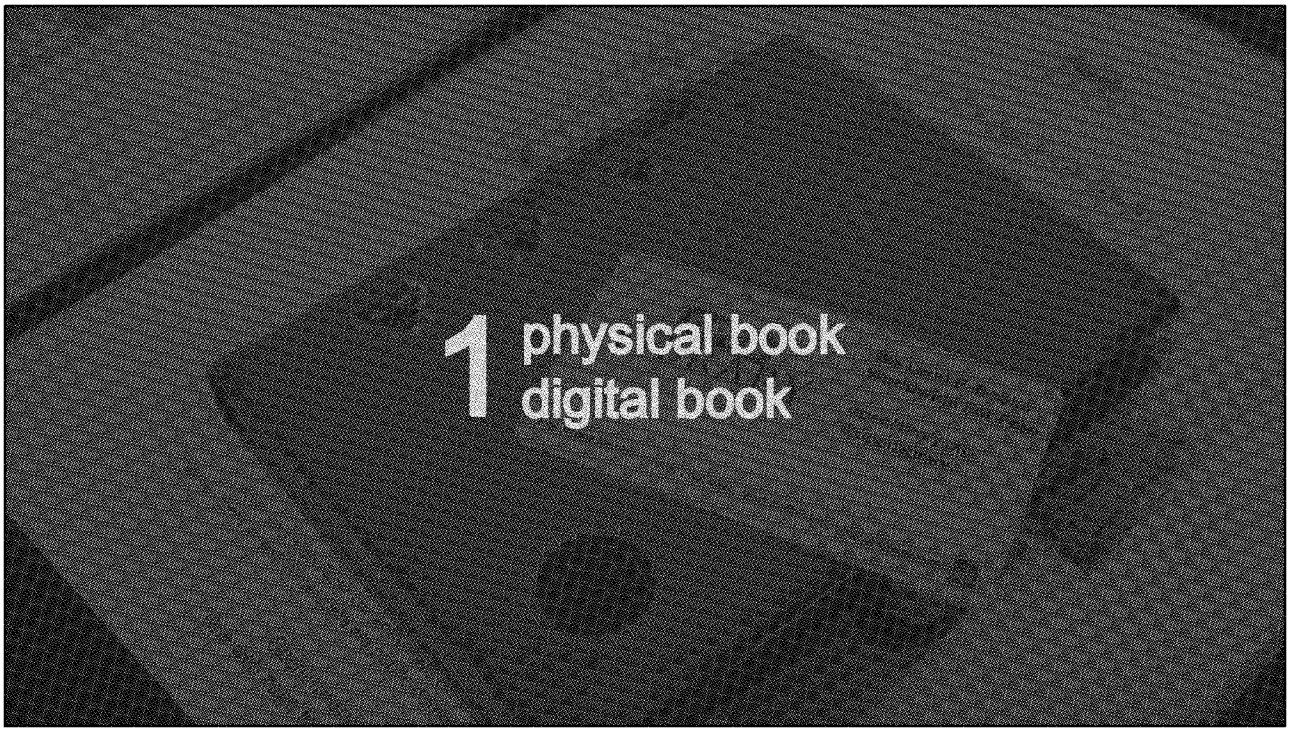
On March 24, Internet Archive announced that we are suspending waitlists while the world's libraries and schools are closed. We are calling this effort a national emergency library.

When we launched, we said that the NEL would run through June 30, 2020, or the end of the US national emergency. Our goal was to help educators and students who were disconnected from books while their schools and libraries were closed.

- No. It is close to controlled digital lending but is significantly different while waitlists are suspended. This library is being mobilized in response to a global pandemic and US national emergency. So then...

Mentioned at the top that a lot has changed. What we're going to cover from here is the standard program/offering for Open Libraries. This is what will persist beyond the National Emergency Library.

Developed by the copyright community
Informed by Michelle Wu's work at University of Houston Law Library and its flood in 2001



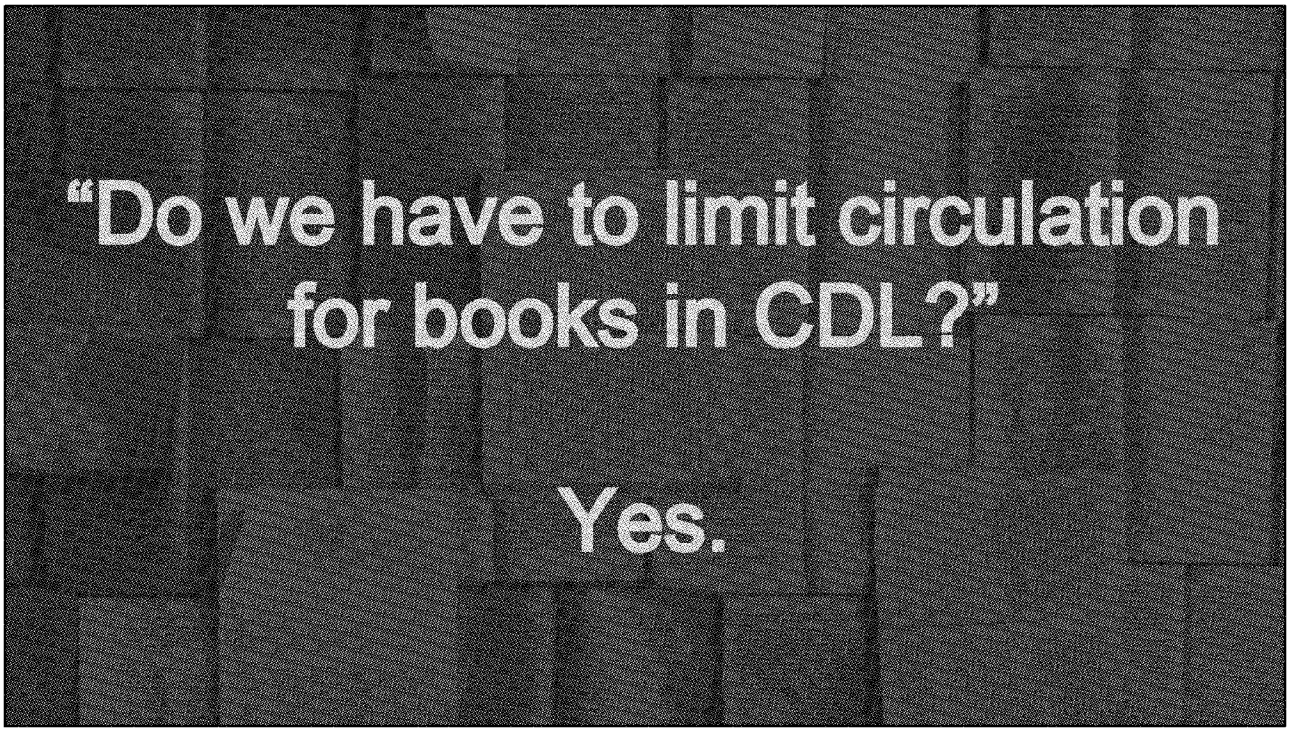
The way CDL works is this: For a book in a library's collection, the library can decide to lend either the physical book or a scanned version of that book, but not both at the same time. "Owned to loaned ratio"

For the 1.4M books in our lending collection, we hold a physical copy in our physical archive
Physical copies don't circulate, only digital lending
Because we've scanned the book, no need to scan it again. If you have the book, you can lend it to your patrons.

What are the controls in controlled digital lending?

Controls in Controlled Digital Lending

- **"Owned to loaned" ratio**
  - If no available copies, user joins a waitlist
  - Suspended for the National Emergency Library
- **Books circulate for 14 days**
  - Check it out again or join waitlist to read after 14 days
- **DRM-protected files**
  - Prevent copying or redistribution using Adobe Digital Editions

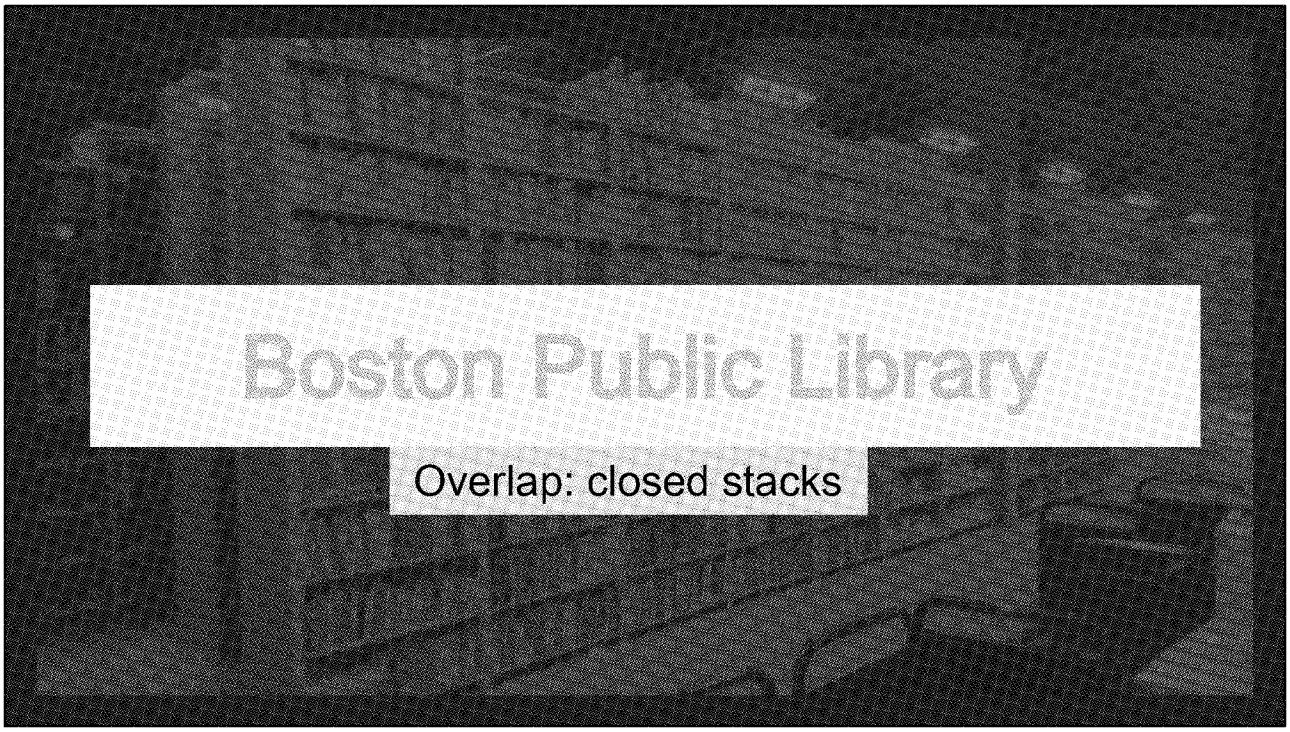


One of the main controls in controlled digital lending is the “owned to loaned” ratio between the number of physical copies in the system and the number of digital copies lent.

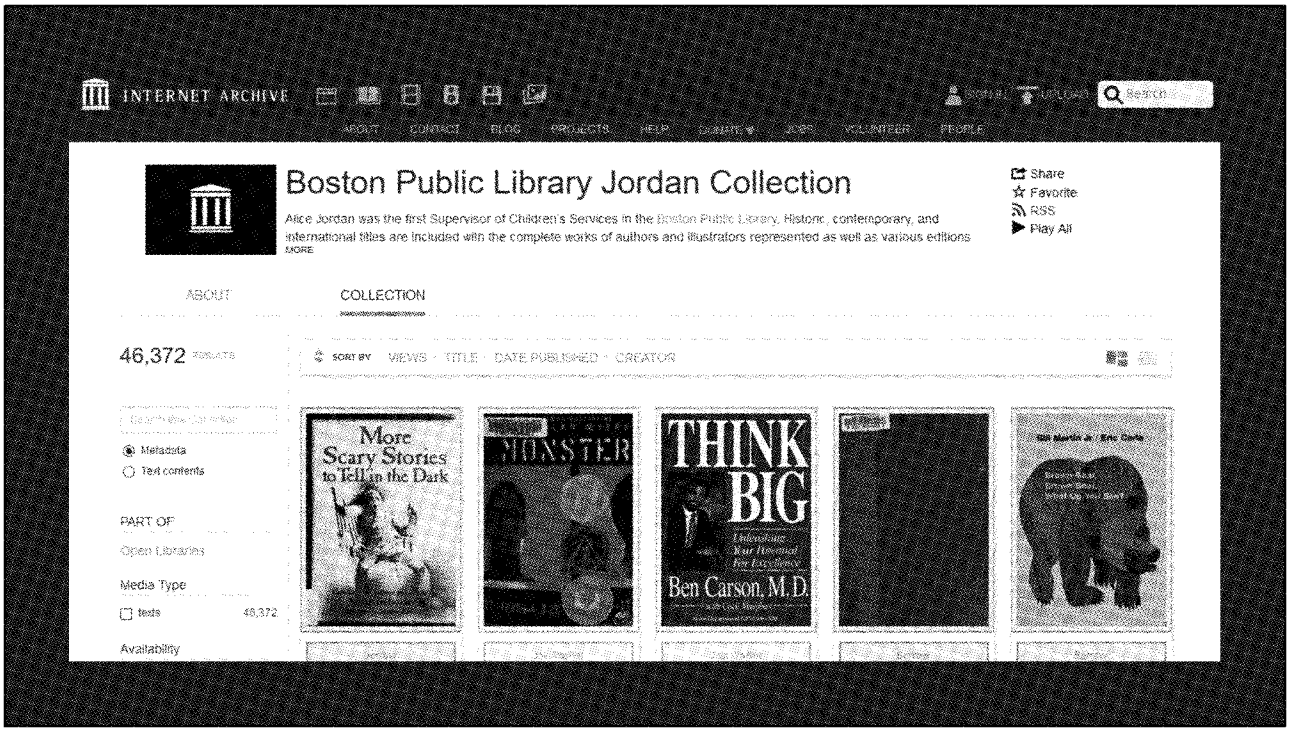
Participating libraries ask, “Does that mean we have to control circulation for books in CDL?” The answer is yes. Circulation control is an important aspect of our program. How you implement is a local library decision, and we don’t make local decisions. Let me give you some examples: some libraries only put materials into CDL that are inherently non-circulating, like materials in a reference collection, or special collections. Some libraries use CDL for materials in off-site storage, or closed branches, or as is the case today with many libraries, entire systems. I’ll give you a couple more examples after our demo.

Stop for questions & then go into demo

How libraries are using
controlled digital lending

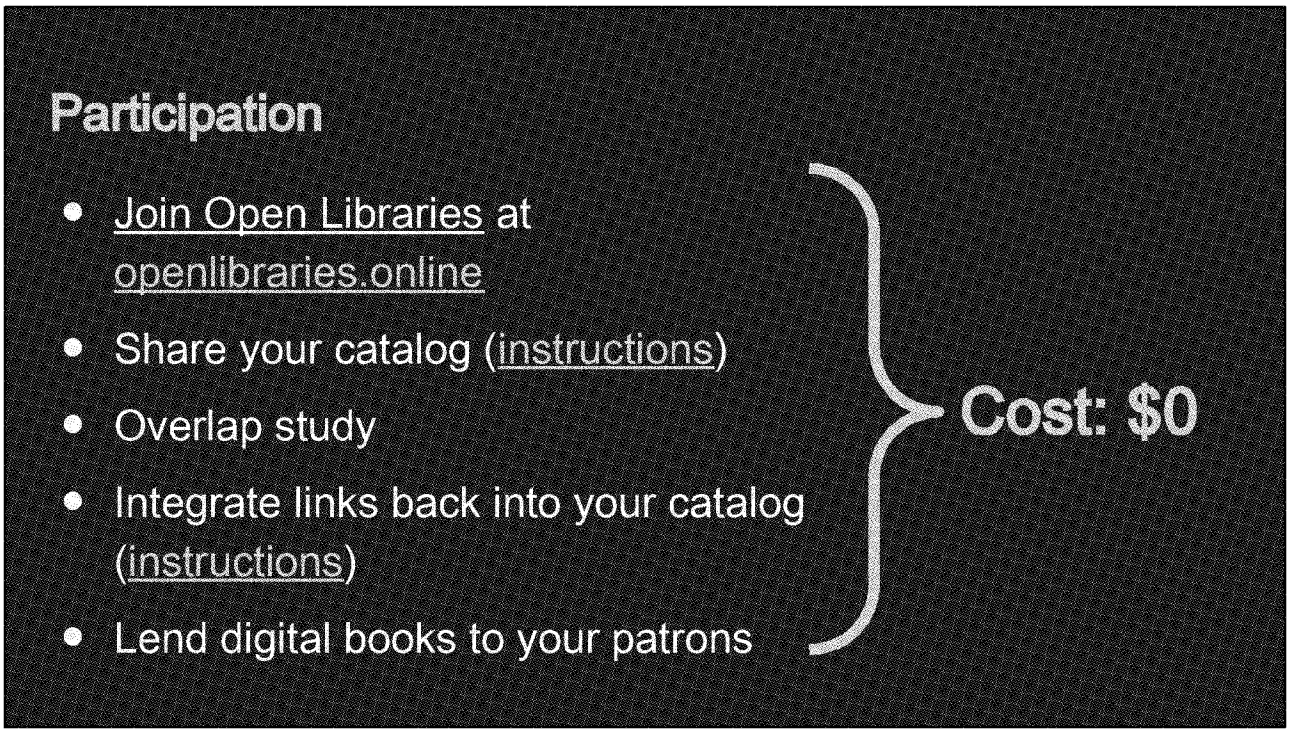


- BPL has the Jordan collection of children's literature
- A historic collection: dates back to 19th century and has titles up through the 21st century
- It’s a research collection, off-site -- in closed stacks, inaccessible to the public
- BPL wanted to see how they could use digitization to open access to these titles

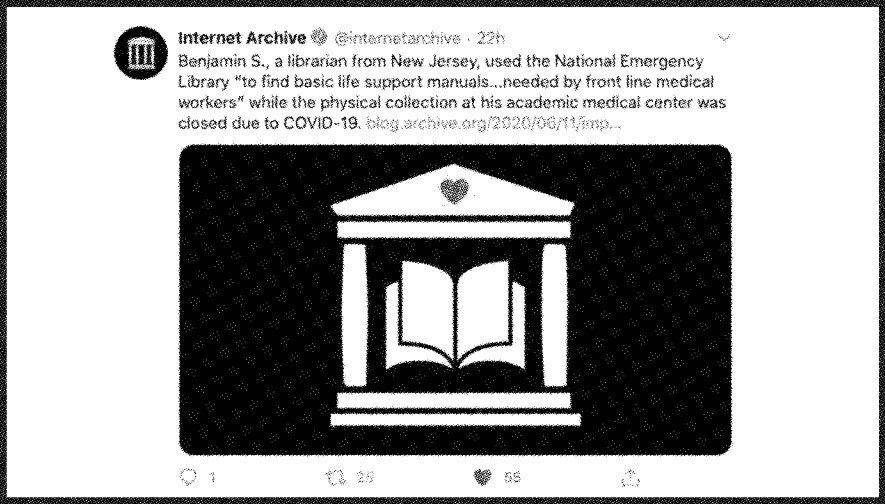


- When an overlap study with archive.org was done, we found about 46,000 books that could be included online
- These books physically have stayed at BPL, but now they link to the titles in their catalog so that their patrons can access the digitized versions
- These titles, which have been paid for and maintained with taxpayer dollars, are now far more open to the public than before
- A good example of how CDL solved a problem for a closed collection
- Tell the Ben Carson story -- we heard from BPL that librarians didn't want this title to be weeded, so it was moved to a collection that isn't weeded.

How can your
library participate?


Participation
Join Open Libraries at openlibraries.online
Share your catalog (instructions)
Overlap study
Integrate links back into your catalog (instructions)
Lend digital books to your patrons
Cost: $0

Impacts


Internet Archive @internetarchive · 22h
Benjamin S., a librarian from New Jersey, used the National Emergency Library "to find basic life support manuals...needed by front line medical workers" while the physical collection at his academic medical center was closed due to COVID-19. blog.archive.org/2020/06/11/imp...
1
29
56

Takeaway / Appeal

- Controlled digital lending can help libraries reach patrons during normal operations as well as in times of closure & crisis
- The Internet Archive has more than 1.4M digital books you can claim & offer your patrons today
- Tell us how you used the NEL & the impact it had by leaving a testimonial
- Help others learn about the impacts of CDL & NEL by retweeting impact statements to your followers from our timeline at https://twitter.com/internetarchive

Q & A

INTERNET
ARCHIVE